

AGENDA
North Miami City Council
776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

REGULAR COUNCIL MEETING

TUESDAY, NOVEMBER 24, 2015
7:00 AM

1. CALL TO ORDER / ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE

(Commander Angel Rivera, North Miami Police Department)

3. INVOCATION

(Pastor Barbara Boyce, New Life Ministries)

4. ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

5. SPECIAL PRESENTATION(S)

- ◆ Miami-Dade Economic Advocacy Trust (MDEAT) presentation by John Dixon, Executive Director, *Black Male Youth Mental Health Conference Series* – December 8 through December 10, 2015.
- ◆ *First Generation Scholars and the Take Stock in Children* Scholar presentation.

6. CITY EVENTS – ANNOUNCEMENT

7. CITY PROJECTS UPDATE – [NONE]

8. HURRICANE PREPAREDNESS

9. CONSENT AGENDA

*UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS **A** THROUGH **E** CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:*

*“... THAT THE CONSENT AGENDA COMPRISED OF TABS **A** THROUGH **E** BE ADOPTED...”*

[TAB A]

APPROVAL OF MINUTES – NOVEMBER 10, 2015

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2015-2016 THROUGH 2019-2020, BASED UPON THE RECOMMENDATIONS OF THE PLANNING COMMISSION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Terry Henley, Assistant Budget Director

[TAB C]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AN AMENDMENT TO THE FISCAL YEAR 2015-2016 REVENUE AND EXPENSE BUDGET, TO INCLUDE THE RE-APPROPRIATION OF FUNDING FROM FISCAL YEAR 2014-2015, IN THE AMOUNT OF TWELVE MILLION NINE HUNDRED TWENTY-SIX THOUSAND EIGHT HUNDRED FORTY-ONE DOLLARS (\$12,926,841.00), FOR PROJECTS AND ITEMS THAT WERE NOT COMPLETED IN THE PRIOR FISCAL YEAR; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Terry Henley, Assistant Budget Director

[TAB D]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S COMPETITIVE SELECTION OF BIDERA LLC, AS THE HIGHEST RANKED FIRM TO PROVIDE PUBLIC AUCTION SERVICES FOR THE DISPOSITION OF SURPLUS ITEMS BY THE CITY, INCLUDING VEHICLES, OFFICE EQUIPMENT, FURNITURE, AND SEIZED PROPERTY; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE PROVISION OF PUBLIC AUCTION SERVICES, WITH AN INITIAL TERM OF ONE (1) YEAR AND TWO (2) OPTIONS TO RENEW ON A YEARLY BASIS, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE REQUEST FOR QUALIFICATION SURPLUS AUCTION SERVICES PRE-QUALIFICATION RFQ NO. 34-06-15; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Alberto Destrade, Interim Purchasing Manager

[TAB E]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE PURCHASE ORDERS FOR A ONE (1) YEAR PERIOD IN THE AMOUNT OF NINETY THOUSAND DOLLARS (\$90,000.00) TO ALLIED UNIVERSAL CORP., FOR THE PURCHASE AND DELIVERY OF SODIUM HYPOCHLORITE, AS REQUIRED FOR THE OPERATIONS OF THE WINSON WATER TREATMENT PLANT, PIGGYBACKING THE PALM BEACH COUNTY, FLORIDA, TERM CONTRACT #11071D, UNDER NOTICE OF SOLICITATION #11-071/SWC – SODIUM HYPOCHLORITE, PURCHASE AND DELIVERY, TERM CONTRACT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Alberto Destrade, Interim Purchasing Manager

10. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.

10. A. RESOLUTIONS

[TAB F]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S COMPETITIVE SELECTION OF SOLO CONSTRUCTION & ENGINEERING CO., AS THE LOWEST-RESPONSIVE, RESPONSIBLE CONTRACTOR TO FURNISH MATERIALS, EQUIPMENT, TOOLS, MACHINERY, SUPERVISION, EXPERTISE, AND SERVICES REQUIRED FOR THE INSTALLATION OF TWO (2) TRAFFIC CIRCLES; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE INSTALLATION OF THE TRAFFIC CIRCLES AT SELECTED LOCATIONS, IN THE AMOUNT OF TWO HUNDRED TWENTY THOUSAND THREE HUNDRED TWENTY-ONE DOLLARS AND FORTY CENTS (\$220,321.40), IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID 32' TRAFFIC CIRCLE PROJECT IFB NO. 43-07-15, AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Alberto Destrade, Interim Purchasing Manager

[TAB G]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY TO ADVANCE REFUND BONDS PREVIOUSLY ISSUED BY THE AUTHORITY AND REFINANCE HEALTH FACILITIES WITHIN THE BOUNDARIES OF NORTH MIAMI; AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY

AND BROWARD COUNTY; APPROVING THE FORM OF THE INTERLOCAL AGREEMENT; APPROVING THE ISSUANCE BY THE CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY OF NOT EXCEEDING \$55,000,000 CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY REVENUE REFUNDING BONDS, SERIES 2015 (CATHOLIC HEALTH SERVICES OBLIGATED GROUP FACILITIES) TO PROVIDE FUNDS TO ADVANCE REFUND BONDS PREVIOUSLY ISSUED BY THE AUTHORITY AND REFINANCE VARIOUS HEALTH FACILITIES IN THE CITY OF HIALEAH GARDENS, FLORIDA, THE CITY OF NORTH MIAMI, FLORIDA, MIAMI-DADE COUNTY FLORIDA, AND BROWARD COUNTY FLORIDA; RATIFYING THE ACTIONS OF THE FINANCE DIRECTOR IN PUBLISHING A NOTICE OF PUBLIC HEARING REGARDING THE BONDS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Larry Spring Jr., Finance Director

[TAB H]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND AMENDING THE HOME ACTION PLAN TO ALLOW THE ALLOCATION OF PROGRAM INCOME RECEIVED FROM HOME INVESTMENT PARTNERSHIP FUNDS IN THE AMOUNT OF TWO HUNDRED FIFTY-SEVEN THOUSAND THREE HUNDRED THIRTY-THREE DOLLARS AND THIRTY CENTS (\$257,333.30) FOR FISCAL YEAR 2014-15 FROM THE MULTI-FAMILY REHABILITATION PROGRAM TO SINGLE-FAMILY REHABILITATION PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D Director

10. B. LEGISLATIVE MATTERS

10. B. i. ORDINANCES – SECOND READING AND PUBLIC HEARING.

[TAB I]

PROPOSED ORDINANCE (**SECOND READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 19 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “UTILITIES”, BY AMENDING ARTICLE IV, DIVISION 5, SPECIFICALLY AT SECTION 19-194, ENTITLED “COLLECTION OF PRO RATA COST OF EXTENSION FACILITY FROM SUBSEQUENT APPLICANTS; REFUND”, BY DELETING SAID SECTION FROM THE CODE AS INEFFECTIVE AND OBSOLETE, AND TO MITIGATE POTENTIAL FINANCIAL LIABILITY TO THE CITY; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: City Administration

Responsible Staff Person: Wisler Pierre Louis, Public Works Director

10. B. ii. ORDINANCES – FIRST READING

[TAB J]

PROPOSED ORDINANCE (**FIRST READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “ADMINISTRATION”, BY AMENDING ARTICLE VI, ENTITLED “CODE OF ETHICS” AT DIVISION 1, ENTITLED “CONFLICT OF INTEREST”, TO CREATE SECTION 2-318, ESTABLISHING AND IMPLEMENTING AN HONOR CODE FOR ELECTED AND APPOINTED CITY POSITIONS AND CITY EMPLOYEES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: Councilman Scott Galvin

[TAB K]

PROPOSED ORDINANCE (**FIRST READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE 3, DIVISION 6, ENTITLED “VARIANCES HEARD BY BOARD OF ADJUSTMENT,” SPECIFICALLY AT SECTION 3-604 ENTITLED “ADMINISTRATIVE VARIANCES” AND AMENDING DIVISION 7, ENTITLED “APPEALS”, SPECIFICALLY AT SECTION 3-702 ENTITLED “ADMINISTRATIVE APPEALS” TO EXTEND THE TIME REQUIRED FOR AN AGGRIEVED PARTY TO FILE A NOTICE OF APPEAL TO THE BOARD OF ADJUSTMENT FROM THE CURRENT TEN (10) DAYS TO THIRTY (30) DAYS, AND TO SHIFT THE COST OF SUCH AN APPEAL TO THE OWNER OF THE PROPERTY SEEKING THE BENEFITS DERIVED BY THE ISSUANCE OF AN ADMINISTRATIVE VARIANCE; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D Director

10. C. QUASI-JUDICIAL ITEM(S)

[TAB L]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A CONDITIONAL USE PERMIT, IN SUBSTANTIALLY THE ATTACHED FORM, TRANSFERRING UP TO ONE HUNDRED THIRTY-EIGHT (138) FLOATING RESIDENTIAL BONUS UNITS FROM THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT PRIMARY RESIDENTIAL POOL OF TWO THOUSAND TWO HUNDRED (2,200) FLOATING RESIDENTIAL UNITS TO A PROPOSED MULTIFAMILY RESIDENTIAL DEVELOPMENT CONSISTING OF A TOTAL OF ONE HUNDRED NINETY-ONE (191) UNITS, INCLUDING A SEVEN (7) STORY APARTMENT COMPONENT WITH NINETY NINE (99) UNITS (ENTITLED “VERBENA”) AND AN EIGHT (8) STORY ELDERLY HOUSING COMPONENT WITH NINETY TWO (92) UNITS (ENTITLED “VERBENA SENIOR RESIDENCES”), ON THE PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF NORTHEAST 135TH

STREET AND NORTHEAST 6TH AVENUE, ENCOMPASSING A TOTAL OF EIGHT (8) CONTINUOUS AND ABUTTING PARCELS, IN ACCORDANCE WITH ARTICLE 4, SECTION 4-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour

11. REQUESTS-PETITIONS-COMMUNICATIONS

[TAB M]

DISCUSSION OF FUND RESERVE AND SOLEMIA EXPECTED REVENUES AND PLANNED EXPENDITURES.

Sponsored by: City Administration

[TAB N]

DISCUSSION AND DECISION REGARDING CITY ATTORNEY VACANT POSITION.

Sponsored by: City Administration

12. CITIZENS' FORUM

13. COUNCIL REPORTS

Mayor Smith Joseph, D.O., Pharm.D.
Vice Mayor Carol Keys, Esq.
Councilman Philippe Bien-Aime
Councilman Alix Desulme
Councilman Scott Galvin

14. CITY CLERK'S REPORT

15. CITY ATTORNEY'S REPORT

16. CITY MANAGER'S REPORT

17. ADJOURNMENT

• THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12145.

• IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING MAY CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12145. HEARING IMPAIRED SHOULD DIAL 711 or 1-800-955-8771 FOR THE FLORIDA RELAY SERVICE. ANY DECISION(S) MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

• AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.

• IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.

• TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING.

• THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, 04800SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

ALCOHOLIC BEVERAGE SYMBOLS

1-COP	Beer only, Consumption on Premises
2-COP	Beer and Wine, Consumption on Premises
4-COP	Beer, Wine and Alcohol, Consumption on Premises
1-APS	Beer, Package Sales Only
2-APS	Beer and Wine, Package Sales Only
3-APS	Beer, Wine and Alcohol, Package Sales Only

ZONING SYMBOLS

R-1	Residential Estate District
R-2	Single-Family District
R-4	Multi-Family District
R-5	Multi-Family District
R-6	Multi-Family District
RO	Residential Office District

ZONING SYMBOLS (continue)

C-1	Commercial District
C-3	Commercial District
C-2BE	Commercial District
C-2BW	Commercial District
M-1	Industrial District
PU	Public Use District
PD	Planned Development District
AOD	Arts, Culture and Design Overlay District
NRO	Neighborhood Redevelopment District